



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 9, 2014

By Electronic Mail

Hon. Katherine B. Forrest
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

USDC SDNY
DOCUMENT
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Re: *United States v. Ross William Ulbricht, 14 Cr. 68 (KBF)*

Dear Judge Forrest:

On October 17, 2014, the Court ordered that the parties submit final pretrial materials by Wednesday, December 10, 2014, to include trial witness lists. The Government submits this letter to respectfully request leave from the Court to redact the names of cooperating witnesses from the list of Government witnesses.

As outlined in the Complaint and other submissions previously made to the Court, the defendant has been alleged to have solicited murders-for-hire against individuals who threatened his interests in the Silk Road underground marketplace, including an individual who he believed to be cooperating with the Government. Accordingly, the Government believes that the requested relief is appropriate in the important interest of protecting those witnesses from harm and intimidation. Indeed, the Court's bifurcated schedule for the production of 3500 material (requiring the production of 3500 materials for non-cooperating witnesses by Monday, December 29, 2014, and the production of 3500 materials for cooperating witnesses on Friday, January 2, 2015) contemplates the need to protect the identities of cooperating witnesses until shortly before trial.

Therefore, the Government respectfully requests leave to redact the names of cooperating witnesses from its witness list, although the Government will indicate the number of cooperating witnesses, the approximate location of each in the witness order, and the expected length of direct testimony for each cooperating witness. The Government further proposes that it will disclose the identity of each cooperating witness on Friday, January 2, 2015, in addition to the 3500 materials for those cooperating witnesses, in accordance with the Court's prior order. Given that the Government does not intend to call any cooperating witnesses during the first

week of trial, disclosure on that date will provide, at a minimum, ten days notice regarding their identities prior to their testimony at trial.

The Government has spoken to Joshua Dratel, Esq., counsel for the defendant, who objects to this request.

Respectfully,

PREET BHARARA
United States Attorney

By: 

TIMOTHY T. HOWARD
SERRIN TURNER
Assistant United States Attorneys
Southern District of New York

cc: Joshua Dratel, Esq. (by electronic mail)

Ordered

Defendant to respond to the instant
letter request as soon as practicable (not
later than 12/11 at 10am).

K B. Joran 12/9/14
usdt